

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

NADINE TOWNSEND,

Plaintiff,

v.

PUBLIC STORAGE, INC.,

Defendant.

THOMAS J. McAVOY
Senior United States District Judge

U.S. DISTRICT COURT - N.D. OF N.Y.
FILED
DEC 17 2014
AT ____ O'CLOCK
Lawrence K. Baerman, Clerk - Binghamton

No. 1:13-cv-1600
(TJM/TWD)

DECISION and ORDER

I. INTRODUCTION

This *pro se* action was referred to the Hon. Therese W. Dancks, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and Local Rule N.D.N.Y. 72.3(c). In her April 30, 2014 Order and Report-Recommendation (dkt. # 4), Magistrate Judge Dancks ordered that Plaintiff's *in forma pauperis* application (dkt. # 2) be granted for purposes of filing only; denied the motion to appoint counsel (dkt. # 3); and recommended that Plaintiff's Complaint (Dkt. No. 1) be DISMISSED WITH PREJUDICE pursuant to 28 U.S.C. § 1915(e)(2)(B)(i)-(ii). Plaintiff has not filed objections to the Order and Report-Recommendation, and the time to do so has expired.

II. DISCUSSION

After examining the record, this Court has determined that the Order and Report-Recommendation is not subject to attack for plain error or manifest injustice.

III. CONCLUSION

Accordingly, the Court **ADOPTS** the Order and Report-Recommendation for the reasons stated therein. Plaintiff's complaint is **DISMISSED WITH PREJUDICE** pursuant to 28 U.S.C. § 1915(e)(2)(B)(i)-(ii).

IT IS SO ORDERED.

Dated: December 17, 2014


Hon. Thomas J. McAvoy, SUSDJ